

# INTRODUCTION TO SECURITY COOPERATION

## INTRODUCTION

The term security cooperation was first introduced in 1997 by the Defense Reform Initiative (DRI). The DRI proposed that certain Department of Defense (DOD) funded international programs along with their personnel and associated resources be managed by what was then the Defense Security Assistance Agency (DSAA) which already had the day-to-day management responsibility of many security assistance programs authorized by the *Foreign Assistance Act* (FAA) and the *Arms Export Control Act* (AECA). To better reflect its enlarged mission and diverse functions beyond security assistance to other agencies, the private sector, and foreign governments; DSAA was redesignated the Defense Security Cooperation Agency (DSCA), effective 1 October 1998.

Management responsibilities for many DOD international programs have been transferred to DSCA in recent years. Many security cooperation programs continue to be managed by other Office of the Secretary of Defense (OSD) agencies, the Geographic Combatant Commanders (GCCs), or the military departments (MILDEPs). What further complicates the management of security cooperation is that the in-country point of contact between the United States government (USG) and the host nation generally is either the Defense Intelligence Agency (DIA)-sponsored defense attaché office (DAO) or the DSCA-sponsored Security Cooperation Office (SCO). These two spigots for security cooperation with a country require a broad knowledge and skill baseline of the very different international programs that are initiated, funded, and managed from throughout the DOD and its agencies and the MILDEPs.

It was not until 9 June 2004 that a formal, yet still very broad, definition of security cooperation was published in Joint Pub 1-02.

All DOD interactions with foreign defense establishments to build defense relationships that promote specific U.S. security interests, develop allied and friendly military capabilities for self-defense and multinational operations, and provide U.S. forces with peacetime and contingency access to a host nation.

Other DOD policy statements identify DOD-managed or administered security assistance programs as major elements of security cooperation.

The purpose of this first chapter is to provide definitions of the various programs within security assistance and the broader area of security cooperation.

### Security Assistance

DSCA outlines security assistance as twelve major programs in Table C1.T1 of DOD 5105.38-M, *Security Assistance Management Manual* (SAMM). While seven of these FAA and AECA-authorized programs are administered by DOD, specifically by DSCA, they remain under the general control of the Department of State (DOS) as components of U.S. foreign assistance. These twelve security assistance programs include the following.

### Foreign Military Sales

Foreign military sales (FMS) is a non-appropriated program administered by DSCA through which eligible foreign governments purchase defense articles, services, and training from the USG.

The purchasing government pays all costs associated with a sale. There is a signed government-to-government agreement, normally documented on a Letter of Offer and Acceptance (LOA) between the USG and a foreign government. Each LOA is commonly referred to as a “case” and is assigned a unique case identifier for accounting purposes. Under FMS, military articles and services, including training, may be provided from DOD stocks (Section 21, AECA) or from new procurement (Section 22, AECA). If the source of supply is new procurement, on the basis of having an LOA which has been accepted by the foreign government, the USG agency or MILDEP assigned cognizance for this case is authorized to enter into a subsequent contractual arrangement with U.S. industry in order to provide the article or service requested.

The DOS *Congressional Budget Justification* (CBJ) for fiscal year (FY) 2010 estimated that about 80 foreign countries and international organizations would participate in FY 2010 in the FMS program, with total estimated sales of \$37 billion. The final FMS total for FY 2009 was \$31.6 billion. This is in addition to the \$6.5 billion in pseudo FMS LOA agreements during FY 2009 which were provided by DOD-funded security cooperation programs.

### **Foreign Military Construction Services**

Foreign military construction services (FMCS) is a non-appropriated program administered by DSCA and authorized by Section 29, AECA, to include the sale of design and construction services by the USG to eligible purchasers. The construction sales agreement and sales procedures generally parallel those of FMS and are usually implemented by the MILDEP civil engineering agencies.

The FY 2010 CBJ projection for FMCS and actual FMCS sales for FY 2009 are included in the FMS projections stated above.

### **Foreign Military Financing Program**

The Foreign Military Financing Program (FMFP) is an appropriated program administered by DSCA that has undergone a variety of substantive and terminological changes over the years. At present, the program consists of congressionally appropriated grants and loans which enable eligible foreign governments to purchase U.S. defense articles, services, and training through either FMS or direct commercial sales (DCS). Foreign military sales credit (FMSCR) is authorized under the provisions of Sections 23 and 24, AECA, and originally served to provide credit (loans) as an effective means for easing the transition of foreign governments from grant aid, e.g., Military Assistance Program (MAP) and International Military Education and Training (IMET), to cash purchases.

Prior to FY 1989, this financing program was variously identified as the Foreign Military Sales Credit Program or the Foreign Military Sales Financing Program. In the FY 1989 *Foreign Operations Appropriations Act* (FOAA), Congress introduced a new title, the FMFP, and the forgiven loan/forgiven credit component of the program was identified as FMFP grants to distinguish them from repayable direct FMFP loans. Also, the terms non-repayable loans or non-repayable credits are often used by various security assistance organizations (including DSCA) in place of the term “FMFP grants”.

Beginning in FY 1992, the *Federal Credit Reform Act of 1992* (P.L. 101-508) changed the method of accounting and budgeting for all government loans, including FMFP loans issued under the AECA. This legislation provides a more accurate portrayal of the true cost of loans by providing new budget authority only for the subsidy element of the loan program and is the basis for the establishment of two new financial accounts:

- The first contains only the FMFP grant portion of the program administrative costs
- The second account provides the budget authority needed to fund the subsidy element of the proposed loan programs

While there are previously authorized FMFP loans still being repaid to the USG, this loan element is seldom used; the FMFP grant element (no repayment) is the norm.

FMFP funding for FY 2010 was \$5.4 billion. The request for FY 2011 is a similar figure of \$5.5 billion. All of these requests and subsequent appropriations are grants.

## **Leases**

Chapter 6, of the AECA, authorizes the president to lease defense articles to friendly governments or international organizations for up to five years (renewable). This non-appropriated program is administered by DSCA. The law allows the lease of defense articles only for compelling foreign policy or national security reasons, and stipulates that the full cost of the lease, with some exceptions, must be borne by the recipient. Furthermore, leased articles must not be needed for U.S. public use during the lease period, and the U.S. retains the right to terminate the lease at any time. For the recipient country, leases may be cheaper than purchasing the article outright, and they provide a convenient vehicle for obtaining defense articles for temporary use. Leases are executed through a lease agreement, with an associated FMS case to cover repair, training, supply support and/or transportation, if required. The total value of defense articles leased in FY 2008 was \$9.1 billion.

## **Military Assistance Program**

In FY 1990 the MAP was formally merged with the FMFP as Congress adopted an administration proposal for integrating all MAP grant funding into the appropriations account for the FMFP. This appropriated program was administered by DSCA. No MAP funds have been appropriated for subsequent FYs, and there is no interest in seeking any such funds for the future. This legislative change, therefore, had the dual effect of causing existing MAP-funded programs to lose their former identity and become FMFP-funded programs and establishing the FMFP as the major U.S. financing program for the acquisition of U.S. defense articles and services by foreign governments.

MAP continues to be identified as a current security assistance program because the MAP-provided articles remain throughout the world with the continued requirements for end-use monitoring (EUM), return to the USG when no longer needed, and any proceeds from a sale to a third country or scrapping being returned to the USG.

## **International Military Education and Training**

The IMET program provides grant financial assistance for training in the U.S. and, in some cases, in overseas facilities to selected foreign military and civilian personnel. In earlier years, grant aid training of foreign military personnel was funded as part of the MAP appropriation. Starting with FY 1976, a separate authorization for IMET was established in Section 541, FAA. This appropriated program is administered by DSCA. Although historically a relatively modest program in terms of cost, both the president and Congress attach significant importance to this program. The recipient countries, likewise, are heavily reliant on this grant program and, in many cases; this program serves as the only method to receive training from the U.S. military.

At a time of declining defense and foreign aid budgets, IMET advances U.S. objectives on a global scale at a relatively small cost. In many countries, having a core group of well-trained, professional leaders with firsthand knowledge of America will make a difference in winning access and influence for our diplomatic and military representatives. Thus, a relatively small amount of IMET funding will provide a return for U.S. policy goals, over the years, far greater than the original investment.

In 1980, Section 644(m)(5), FAA, was amended to authorize IMET tuition costing in terms of the additional costs that are incurred by the USG in furnishing such assistance. Section 21(a)(1)(C), AECA, was also amended to allow IMET recipients to purchase FMS training on an additional cost basis. The practical effects of these changes were to substantially reduce tuition costs for IMET-

funded students, and thereby increase the amount of training an eligible country can obtain with its IMET grant funds and through FMS purchases.

A new IMET initiative was introduced in the FY 1991 FOAA when Congress adopted a Senate-proposed IMET earmark of \$1 million to be used exclusively for expanding courses for foreign officers as well as for civilian managers and administrators of defense establishments. The focus of such training is on developing professional level management skills, with emphasis on military justice systems, codes of conduct, and the protection of human rights. Section 541, FAA, was amended to permit non-Ministry of Defense civilian government personnel to be eligible for this program, if such military education and training would:

- Contribute to responsible defense resource management
- Foster greater respect for and understanding of the principle of civilian control of the military
- Contribute to cooperation between military and law enforcement personnel with respect to counternarcotics law enforcement efforts
- Improve military justice systems and procedures in accordance with internationally recognized human rights

This expanded IMET (E-IMET) program was further extended in FY 1993 to also include participation by national legislators who are responsible for oversight and management of the military. The E-IMET program authority was again amended in 1996 by P.L.104-164 to also include non-governmental organization personnel.

\$93 million was appropriated for the FY 2009 IMET program. An increased level of \$108 million was appropriated for FY 2010 to train nearly 8,000 IMET students from over 140 countries. The amount of IMET requested for FY 2011 is \$110 million.

## **Drawdowns**

During a crisis, Section 506, FAA, authorizes the president to provide USG articles, services, and training to friendly countries and international organizations at no cost, to include free transportation. There is a \$100 million ceiling per FY on articles, services, and training provided for military purposes and another FY ceiling of \$200 million for articles, services and training required for non-military purposes such as disaster relief, nonproliferation, antiterrorism, counternarcotics, refugee assistance, and Vietnam War-era missing in action/prisoners of war (MIA/POW) location and repatriation. When emergency support for peacekeeping operations is required, Section 552(c)(2), FAA, separately authorizes the President to drawdown up to \$25 million per FY in USG articles and services from any agency. Special drawdown authorities are periodically legislated to include \$30 million in support for the Yugoslav International Criminal Court. These are non-appropriated authorities are administered by DSCA when defense articles, services, or training from DOD are to be drawn down.

## **Economic Support Fund**

The Economic Support Fund (ESF) is authorized by Chapter 4 of Part II of the FAA. ESF is an appropriated program administered by the U.S. Agency for International Development (USAID). This fund was established to promote economic and political stability in areas where the U.S. has special political and security interests and where the U.S. has determined that economic assistance can be useful in helping to secure peace or to avert major economic or political crises. ESF is a flexible economic instrument available on a grant basis for a variety of economic purposes, including balance of payments support, infrastructure, and other capital and technical assistance development projects. In earlier years, the ESF program included concessional (i.e., low interest rate) loan as well as grants; recently all ESF funds have been allocated as grant assistance. While a substantial amount of these

ESF grants are used to provide balance of payments, the ESF also provides for programs aimed at primary needs in health, education, agriculture, and family planning. Where long-term political and economic stability is the primary concern, ESF finances projects that meet the basic needs of the poor.

The final FY 2009 ESF appropriation was \$7.1 billion. The initial appropriation for FY 2010 ESF was \$6.3 billion with a supplemental of \$1.8 billion being requested. The initial ESF request for FY 2011 is for \$7.8 billion. All of these requests and subsequent appropriations are grants.

### **Peacekeeping Operations**

Peacekeeping operations (PKO) is an appropriated program authorized by Chapter 6 of Part II of the FAA. For several years, PKO provided funds for the Multinational Force and Observers (MFO) which implemented the 1979 Egyptian-Israeli peace treaty, and the U.S. contribution to the United Nations Force in Cyprus (UNFICYP). Subsequent funding has been provided to support peacekeeping efforts in the Balkans, East Timor, sub-Saharan Africa, and lately in Afghanistan and the Darfur region of the Sudan. Global Peace Operations Initiative (GPOI), which has become the principal PKO program, will be discussed later in this chapter.

PKO funds appropriated for FY 2009 totaled \$530 million. The initial PKO appropriation for FY 2010 was \$332 million. The FY 2011 request is for \$286 million. All of these requests and subsequent appropriations are grants administered by the DOS.

### **International Narcotics Control and Law Enforcement**

The International Narcotics Control and Law Enforcement (INCLE) program is an appropriated grant program administered by the DOS authorized by Section 481, FAA, to suppress the worldwide illicit manufacture and trafficking of narcotic and psychotropic drugs, money laundering, and precursor chemical diversion, and the progressive elimination of the illicit cultivation of the applicable crops. Recently, the elimination of related narco-terrorism has been included. This program can include the purchase of defense articles, services, and training. There are similar authorized and funded programs within DOD and the Departments of Justice and Homeland Security.

The FY 2009 appropriation for INCLE was \$1.8 billion. The initial appropriation for FY 2010 was \$1.7 billion with an additional \$757 million being requested. The FY 2011 INCLE request is for \$2.1 billion.

A similar DOS grant program within the overall INCLE, the Andean Counterdrug Initiative (ACI), was established for the Andean Ridge countries using the same FAA authority and objectives to be jointly administered by USAID and the DOS INCLE Bureau. This program is often referred to as Plan Colombia since the program emphasis and funding go primarily to Colombia. A similar multiyear counter narcotics and transnational anticrime program was announced and first funded in FY 2008 for Mexico and selected Caribbean countries entitled the Merida Initiative.

### **Nonproliferation, Antiterrorism, Demining, and Related Programs**

Nonproliferation, Antiterrorism, Demining, and Related programs (NADR) is an appropriated grant program administered by DOS. It is authorized by Part II, Chapters 8 and 9 of the FAA, and Section 504 of the *FREEDOM Support Act*, moreover, Section 23, AECA, for NADR focuses on demining activities, the clearance of unexploded ordnance, the destruction of small arms, border security, and related activities. Related defense articles, services, and training can be provided through this program. U.S. funding support for the International Atomic Energy Agency and the Comprehensive Nuclear Test Ban Treaty Preparatory Commission is provided through this program. The DOD significance of this program is that DOS can purchase demining, unexploded ordnance clearance, and antiterrorism systems with this funding.



The FY 2009 appropriation for NADR funding was \$632 million. The appropriation for FY 2010 was \$754 million. The NADR request for FY 2011 is \$758 million.

### **Direct Commercial Sales**

DCS are commercial exports of defense articles, services, and training licensed under the authority of Section 38, AECA, made by U.S. defense industry directly to a foreign government. Unlike the procedures employed for FMS, DCS transactions are not administered by DOD and do not normally include a government-to-government agreement. Rather, the required USG controls are implemented through licensing by the Directorate of Defense Trade Controls (PM/DDTC) in the DOS. The day-to-day rules and procedures for these types of sales are contained in the *International Traffic in Arms Regulations* (ITAR). [22 CFR 120-130]

Of note, not all license approvals will result in signed contracts and actual deliveries. Licenses issued in FY 2008 for defense articles and defense services totaled \$34.2 billion and \$71.3 billion respectively. No annual estimates were issued for DCS licensing during FY 2009 through FY 2011. Like FMS, DCS deliveries are likely to take place years after the commercial contract is signed and the export license is obtained by U.S. industry from PM/DDTC.

### **Other Security Assistance Programs**

While these two programs are not identified by DSCA in the SAMM as one of the twelve security assistance programs, they are very much related to the duties of the security assistance community, both in the U.S. and recipient foreign governments.

#### ***Excess Defense Articles***

Excess defense articles (EDA) identified by the MILDEP or DOD agency are authorized for sale using the FMS authority in Section 21, AECA, and FMS processes identified within the SAMM for property belonging to the USG. Prices range from five to fifty percent of original acquisition value, depending on the condition of the article. The current value of EDA offered via FMS during FY 2008 was \$67 million, while the current value of EDA deliveries during FY 2008 was \$7 million.

Additionally, Section 516, FAA, authorizes the president to transfer EDA on a grant basis to eligible countries (justified in the annual CBJ). While EDA can be transferred at no-cost, the recipient must typically pay for any transportation or repair charges. Under certain circumstances, transportation charges may be waived, with the cost absorbed by DOD appropriated funds. The current value of grant EDA offered during FY 2008 was \$133 million, while the current value of grant EDA deliveries during FY 2008 was \$131 million.

#### ***Third-Country Transfers***

Section 3(d), AECA, authorizes the president to manage and approve the transfer of U.S.-origin defense articles from the original recipient country to a third country. Requests for third-country transfers are normally approved if the USG is willing to conduct a direct transfer to the third country. Third-country transfer authority to countries must be obtained in writing from the DOS in advance of the proposed transfer. This applies to all U.S.-origin defense articles regardless of the method of original transfer from the USG or U.S. industry.

## **SECURITY COOPERATION**

Though not delineated in any one source, the following is a categorized list of DOD-authorized security cooperation programs, with a brief description and references for each program. It should be noted that the previously described seven FAA and AECA-authorized security assistance programs administered by DOD in accordance with the SAMM also fall under the broad definition of security cooperation.

Other sources for identifying DOD security cooperation programs include the *Theater Security Cooperation (TSC) Activities Handbook* used within the U.S. European theater of operations and the *Army International Activities Plan (AIAP)* published by the U.S. Army.

Another method of identifying the difference between security assistance and security cooperation is the source of authority within the *U.S. Code (USC)* for the program. The USC is the codification of the general and permanent U.S. laws divided into 50 titles by subject matter. 22 USC, or Title 22, pertains to U.S. foreign relations to include FAA and AECA security assistance. 10 USC, or Title 10, pertains to the U.S. armed forces to include DOD security cooperation. However, it should be noted that certain DOD security cooperation program authorities are also with 22 USC.

### ***Foreign Assistance Act and Arms Export Control Act – Authorized Programs Administered by Department of Defense***

This includes the seven security assistance programs previously identified and described in Table C1.T1, SAMM: FMS, FMCS, FMFP, leases, MAP, IMET, and drawdowns.

### ***Combined Operations***

Combined operations or combined exercises are older terms normally used to describe U.S. operations with other countries. Newer terms include coalition or joint operations. [Note that the term “joint” originally meant two or more U.S. services in operations or exercises.] The authorities for these programs are either Title 10 of the USC or the annual *National Defense Authorization Act (NDAA)* with funding provided within the annual DOD appropriations acts.

### ***Counter-Drug Support***

Section 1004 *National Defense Authorization Act for FY 1991 (NDAA)*, P.L. 101-510, authorizes counternarcotics support to U.S. and foreign counterdrug agencies, to include providing defense services and training in support of DOD-loaned equipment as amended. Pseudo case procedures are used by DOD agencies to provide support as required to the office of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict-Interdependent Capabilities [ASD(SOLIC-IC)]. This “1004” authority is currently extended through FY 2011. The Pseudo LOA case procedures used for this program are in SAMM, section C11.3.

The provision of counterdrug boats, non-lethal equipment and support of previously provided equipment for specified countries is often referred to as Section 1033 support. Section C11.3, SAMM, Pseudo LOA case procedures are likewise used in support of ASD(SOLIC-IC). The authority for this support is the NDAA for FY 1998, P.L.105-85, Section 1033, as amended. The “1033” authority is currently extended through FY 2010 at \$75 million annually for 22 specific countries.

### ***Acquisition and Cross-Servicing Agreements***

Acquisition and cross-servicing agreements (ACSA) are initiated and negotiated by a GCC to allow U.S. logistics support of a military unit of another country. Lethal significant military equipment (SME) or support reasonably available from U.S. commercial sources may not be provided under an ACSA. The Joint Chiefs of Staff (JCS), OSD, and DOS, to include a thirty day advance notification to Congress, must approve the proposal before the agreement is negotiated and concluded by the GCC. The authority for an ACSA is 10 USC 2341-2350, with procedures provided in DODD 2010.9, and Section C11.1, SAMM.

However, the NDAA for FY 2007, P.L.110-417, 109-364, 17 October 2006, Section 1202, as amended, authorizes the loan of certain categories of SME defense articles to countries participating in coalition operations in Iraq, Afghanistan, or for peacekeeping operations for up to one year. The authorization is extended through FY 2011. It must be determined by the secretaries of state and defense that it is in the U.S. national security interest to provide this loan and there are no unfilled U.S. in-theater requirements for the loaned articles.

### ***Warsaw Pact Initiative***

In 1994, the North Atlantic Treaty Organization (NATO) initiated the Partnership-for-Peace (PfP) program for countries seeking cooperative military and peacekeeping relations with NATO. In the U.S. support of PfP, DOD and DOS combined to establish the Warsaw Initiative Fund (WIF). DOS uses FMFP while DOD uses its own Title 10 appropriations, administered by DSCA, to support WIF. The authorities used by DSCA are 10 USC 168 for the military-to-military contact program, 10 USC 1051 to provide funding assistance in attending bilateral or regional meetings or seminars, and 10 USC 2010 to fund participation in combined exercises. SAMM, C11.15, provides DSCA policy guidance in executing the DOD portion of WIF. WIF cannot be the primary source of exercise funding, used to fund course attendance, or fund activities normally defined as military assistance.

### ***Global Peace Operations Initiative***

The Global Peace Operations Initiative (GPOI) is a presidential initiative in coordination with the other G-8 countries to increase the capacity of selected countries to deploy in support of international peace operations. It was originally envisioned as a five-year program (FY 2005-FY 2009). Its goal was to train 75,000 peace support troops worldwide, with emphasis in the Africa region and building an African command headquarters capability. GPOI supports the deployment of peacekeepers by providing equipment, transportation, training, and sustainment in the field. Remaining a DOS program requiring DOD support, GPOI subsumed the previous security assistance-funded PKO African Contingency Operations Training and Assistance (ACOTA) program and FMFP-Enhanced International Peacekeeping Capabilities (EIPC) program. The term ACOTA is still used when referring to the Africa training component of GPOI. In October 2008, a National Security Council (NSC) Deputies Committee approved a five year extension of GPOI (FY 2010-2014). The authorities remain with Chapter 6 of Part II of the FAA and Section 23, AECA.

### ***Train and Equip Afghanistan and Iraq Security Forces***

The *DOD Appropriations Act, 2010*, P.L. 111-118, 19 December 2009, appropriated \$6.5 billion in DOD funds for the Afghanistan Security Forces Fund (ASFF). The *Supplemental Appropriations Act, 2009*, P.L. 111-32, 24 June 2009, appropriated \$1 billion in DOD funds for the Iraq Security Forces Fund (ISFF). These programs are intended to provide defense articles and services to the Afghanistan and Iraq security forces. The FY 2011 DOD proposal for ASFF is for \$11 billion and \$2 billion for ISFF. These transfers are often, but not always, implemented using Pseudo LOA case procedures.

### ***Support of Coalition Forces in Combined Operations***

The NDAA for 2008, P.L.109-364, 17 October 2006, Section 1201, provided for a new 10 USC 127(c), authorizing up to \$100 million in DOD funding annually for logistics, supply, and services to allied forces to support their participation in combined operations. The *DOD Appropriations Act, FY 2010*, P.L. 111-118, 19 December 2009, provides \$1.6 billion in DOD funding to support coalition forces engaged in military and stability operations in Afghanistan and Iraq. This program is now entitled the Coalition Readiness Support Program (CRSP) and implemented using Pseudo LOA case procedures. This funding can also be used to reimburse a key cooperating country for logistical and military support provided by that country to U.S. operations in Iraq or Afghanistan.

### ***Combatant Commander Initiative Fund***

The Combatant Commander Initiative Fund (CCIF) consists of GCC-nominated special interest programs authorized by 10 USC 166a to be funded at a rate of \$25 million annually. The FY 2010 DOD appropriations act provides up to \$50 million for CCIF with not more than \$12.5 million to be used in Iraq or Afghanistan.



### ***Building Partner Capacity of Foreign Militaries***

Beginning in FY 2006, up to \$350 million in DOD funding may be used annually to equip, supply, and train foreign military forces (including maritime security forces) to conduct counter-terrorism operations, or participate in or support military and stability operations in which U.S. forces are participating. Any country prohibited by law from receiving such assistance may not receive such assistance. This program is initially authorized by NDAA FY 2006, Section 1206, as amended, to currently expire at the end of FY 2011. This annual “1206” authority for individual programs is to be notified to Congress fifteen days prior to implementation, with the funds to be obligated prior to the end of the subject FY. This short time requirement places significant pressure on the MILDEP acquisition agencies for execution. Pseudo LOA case procedures are used for the implementation and management of this program. This program is managed by DSCA and the MILDEPs in support of ASD(SOLIC) and the GCC; requests are often initiated by the SCO. Both the secretaries of defense and state must concur with proposed programs prior to notifying Congress. Legislative proposals have regularly sought to raise the 1206 cap, with \$500 million annually requested beginning in FY 2011.

### ***Former Soviet Union Threat Reduction Account***

Sometimes referred to as the Nunn-Lugar program, its goals are elimination and the safe and secure transportation and storage of nuclear, chemical, and other weapons of mass-destruction in the republics of the former Soviet Union. This program was first authorized by the NDAA for FY 1991. \$424 million of DOD funding was appropriated for this purpose during FY 2010.

### ***Special Operations Support to Combat Terrorism***

The NDAA, FY 2005, Section 1208, P.L. 108-375, 28 October 2004, as amended, originally authorized the Secretary of Defense to expend up to \$25 million in DOD funding annually to support foreign forces, irregular forces, groups, or individuals engaged in supporting or facilitating ongoing operations by U.S. special operations forces in combating terrorism. This authority is not to be delegated below the Secretary of Defense and requires the concurrence of the relevant U.S. chief of mission. This annual “1208” authority is now \$40 million through FY 2013 with a proposed increase of \$50 million annually beginning in FY 2011.

### ***Train and Equip Foreign Personnel to Assist in Accounting for Missing United States Government Personnel***

The NDAA for FY 2008 provided a new 10 USC 408 authorizing up to \$1 million in DOD funding annually to provide training and equipment to any country willing to assist DOD with accounting for and recovery of missing USG personnel.

### ***Non-Conventional Assisted Recovery Capabilities***

The NDAA for FY 2009 authorized the use of Navy operations and maintenance (O&M) funding not to exceed \$20 million annually through FY 2011 by a GCC to establish, develop, and maintain a capability to recover DOD or U.S. Coast Guard (USCG) military or civilian personnel or other individuals who, become separated or isolated and cannot rejoin their units during U.S. military operations. Procedures for establishing this capability are to be developed by the Secretary of Defense. Concurrence of the relevant chief of mission and notification to Congress are required prior to execution. The authority may, in limited and special circumstances, include providing support to foreign forces, irregular forces, groups, or individuals.

### ***Combined Exercises***

#### ***Joint Combined Exchange Training***

Joint combined exchange training (JCET) includes the deployment by U.S. special operations forces (SOF) with the dual purpose of training themselves and foreign counterparts. 10 USC 2011 provides the authority for the use of DOD funding for JCET. This funding can be used for the training

of the foreign counterpart, expenses for the U.S. deployment, and, for developing countries, the incremental expenses incurred by the country for the training. The JCET program is carefully followed by Congress because of concerns about inadequate civilian oversight and fears that such training might benefit units or individuals who have committed human rights violations.

### ***Exercise Related Construction***

The Exercise Related Construction (ERC) program is authorized by 10 USC 2805 with policy guidance provided within *Chairman of the Joint Chiefs of Staff Instruction* (CJSCI) 4600.01A to allow overseas construction by the U.S. military in locations where there is no permanent U.S. presence. The construction is to enhance exercise effectiveness, enhance troop quality of life, and increase operational readiness. The construction is typically used by U.S. forces during an exercise but remains intact for host nation use after departure. Projects may include new construction, conversion of existing facilities (e.g., warehouses into exercise operations centers), and restoration of deteriorating facilities. U.S. and/or host nation engineers units and construction contracts may be used to accomplish projects. When construction is accomplished with partner nation engineers, interoperability benefits are also obtained. The Joint Staff logistics engineering division (J4/ED) manages the program through the engineer divisions of the area GCCs.

### ***Developing Country Combined Exercise Program***

The Developing Country Combined Exercise Program (DCCEP) is authorized by 10 USC 2010 to use DOD funds to pay for incremental expenses for a developing country to participate in a combined exercise with U.S. forces. Such expenses normally include rations, fuel, training ammunition, and transportation. The Joint Staff in coordination with the GCC manages DCCEP. This authority was further amended in FY 2009 with a new 10 USC 2010(d) authorizing funding for exercise expenses that begin in one FY and extend into the following FY.

### ***Defense Health Program***

The *DOD Appropriations Act, 2010*, P.L. 111-118, 19 December 2009, provides \$10 million in FY 2010 funding for human immuno-deficiency virus (HIV) prevention educational activities undertaken in connection with U.S. training, exercises, and humanitarian assistance activities conducted in African countries.

### ***International Armaments Cooperation***

This security cooperation effort by the DOD acquisition community has many programs authorized by the AECA, 22 USC and DOD 10 USC and the annual DOD appropriations act. Many DOD scientists and engineers are assigned overseas in an SCO as the eyes and ears of U.S. acquisition community looking for good ideas in the foreign defense industrial complex. Chapter 13 of this text, "Systems Acquisition and International Armaments Cooperation," provides a more detailed description of many of these problems.

### ***Information Exchange Program***

10 USC 2358 authorizes the DOD acquisition community to enter into international agreements for the reciprocal exchange of research and development (R&D) data with a country, with the goal of saving both DOD R&D funding and time in the U.S. research-development, test, and evaluation (RDT&E) process. The OSD administrator for this program is Under Secretary of Defense for Acquisition, Technology, and Logistics [USD(AT&L)], with the MILDEP and DOD agency acquisition communities being the implementers.

### ***Exchange of Engineers and Scientists***

The NDAA for FY 1997 authorizes the DOD acquisition community, among others, to enter into international agreements for the reciprocal exchange of engineers and scientists for cooperative research

and training. It is not to be an information collection program. USD(AT&L) provides oversight to this program with the MILDEP and DOD agency acquisition communities being the implementers.

### ***Foreign Comparative Testing***

10 USC 2360(a) authorizes the DOD acquisition community to enter into international agreements for the test and evaluation of operational weapons systems from other countries to determine if the foreign weapon system is a candidate for U.S. acquisition. Again, the USD(AT&L) provides oversight to this program, with the MILDEPs and DOD agencies being the implementers.

### ***Cooperative Research, Development, Test, Evaluation and Production***

Section 27, AECA, authorizes the DOD acquisition community to enter into international agreements with countries for the mutually beneficial development and possible production of weapons systems. USD(AT&L) provides the general oversight for this complex program with other countries. The Nunn Amendment provided the initial authority and funding for this cooperative program with NATO allies. The Quayle Amendment later expanded the Nunn Amendment to include Australia, Japan, and South Korea, referring to them as major non-NATO allies. P.L.99-661 later further expanded eligibility for this program beyond the NATO and major non-NATO allies to include other friendly countries.

### ***No-Cost Equipment Loans***

Section 65, AECA, authorizes the loan of a U.S. defense article by international agreement at no-cost to a country for the expressed purpose of furthering a cooperative RDT&E program. Again, this program is managed within the DOD acquisition community by USD(AT&L).

### ***Israeli Cooperative Programs***

For several years, DOD has been given annual authority and funding for the development and production of the Israeli Arrow missile defense system both in the U.S. and in Israel. The *DOD Appropriations Act, 2010*, Section 8076, P.L. 111-118, 19 December 2009, provides \$202 million in DOD FY 2010 funding for continued support of the Arrow missile defense program and for the short range ballistic missile defense program and the upper-tier component to the Israeli missile defense architecture.

## **International Training and Education**

### ***Department of Defense Regional Centers for Security Studies***

Title 10 authorities and DOD appropriations funded the development of five regional centers for security studies. The centers serve as a mechanism for communicating U.S. foreign and defense policies to international students, a means for countries to provide feedback to the U.S. concerning these policies and communicating country policies to the U.S. The regional centers' activities include education, research, and outreach. They conduct multi-lateral courses in residence, seminars within their region, and conferences that address global and regional security challenges, such as terrorism and proliferation. Participants are drawn from the civilian and military leadership of allied and partner nations. Security assistance funding is not used to pay for the centers or the students attending them. However, under certain circumstances, DOD funds may be used to fund foreign attendance at the centers. The Under Secretary of Defense for Policy (USDP) in coordination with the relevant GCC provides oversight for the five centers. DODD 5200.41 provides policy and management guidance. Beginning in FY 2006, DSCA began administering the DOD centers under the direction of the USDP. The five centers are:

- Africa Center for Strategic Studies (ACSS), located at the National Defense University in Fort McNair, Washington, D.C. was established in 1999.
- Asia-Pacific Center for Security Studies (APCSS), located in Honolulu, Hawaii, was established in 1995.

- Center for Hemispheric Defense Studies (CHDS), located at the National Defense University in Fort McNair, Washington, D.C. was established in 1997.
- George C. Marshall European Center for Security Studies (MC), located in Garmisch, Germany, was established in 1993.
- Near-East South Asia Center for Strategic Studies (NESA Center), located at the National Defense University in Fort McNair, Washington, D.C. was established in 2000.

Section 904 of the NDAA for FY 2007 finally codified the authority for these regional centers with a new 10 USC 184.

### ***Regional Defense Combating Terrorism Fellowship Program***

The regional defense Combating Terrorism Fellowship Program (CTFP) was established in 2002 first with DOD funding, later with DOD authorizations, and now under 10 USC 2249c. The purpose of the program is to help key partner nations cooperate with the U.S. in the fight against international terrorism by providing education and training on a grant basis to foreign military and civilian personnel. The objective is to bolster the capacity of friends and allies to detect, monitor, interdict, and disrupt the activities of terrorist networks, ranging from weapons trafficking and terrorist-related financing to actual operational planning by terrorist groups. ASD(SOLIC) is the OSD manager of CTFP, in coordination with the GCCs. The day-to-day administration of the program is performed by DSCA. \$20 million was originally appropriated to DOD for CTFP. The management of quotas is very similar to that of IMET. Section 1204, P.L.109-364, amended the annual funding authority to \$25 million. Later, Section 1214 of P.L. 110-417 amended the authorized annual funding level to \$35 million.

### ***Senior War College***

10 USC 2111 authorizes DOD and the MILDEPs to provide quotas to international students to attend the various senior officer war colleges.

The MILDEP secretaries each may provide up to sixty quotas at any one time to foreign military students to attend the three military academies. The secretary of defense may waive all or any part of the requirement to reimburse any cost for attendance. The invitations to attend the academies are offered by the MILDEP secretaries usually through the DAO. The authorities for attending the military academies are:

- 10 USC 4344(a)(1) for the U.S. Military Academy
- 10 USC 6957(a)(1) for the U.S. Navy Academy
- 10 USC 9344(a)(1) for the U.S. Air Force Academy

These programs are not considered security assistance.

### ***Military Academy Student Exchanges***

By international agreement, the MILDEP secretaries each may authorize up to 24 students annually to participate in the reciprocal exchange of cadets to attend the appropriate military academies. The authorities for this exchange program are:

- 10 USC 4345 for the U.S. Military Academy
- 10 USC 6957a for the U.S. Navy Academy
- 10 USC 9345 for the U.S. Air Force Academy

### ***Professional Military Education Student Exchanges***

Section 544(a), FAA, authorizes by international agreement no-cost, reciprocal professional military education (PME) student exchanges. PME usually includes attendance at the MILDEP leadership and management education institutions but not to include the service academies. The U.S. participant in this program will attend the equivalent institution in the foreign country and be administratively supported by either the local DAO or SCO.

### ***Flight Student Exchanges***

Section 544(b), FAA, authorizes by international agreement no-cost, reciprocal flight, to include test pilot schools, training student exchanges. This may include military or civilian defense personnel. Again, the U.S. students in a country may be administratively managed by either the DAO or SCO.

### ***Aviation Leadership Program***

Section 544(c), FAA, authorizes the cooperative participation of foreign and U.S. military and defense civilian personnel in post-undergraduate flying training and tactical leadership programs at locations in Southwest Asia without charge to participating foreign countries. IMET funds are not to be used in support of the Aviation Leadership program (ALP). U.S. participation is to be funded by the MILDEP. A presidential national interest waiver may be used to allow a country to participate on a no-cost basis with the U.S. MILDEP absorbing the charge.

### ***Latin America Training Waiver***

10 USC 1050 authorizes the waiving of training and education costs for a Latin American student to attend a U.S. military training institution. The applicable MILDEP will absorb the waived costs.

### **Humanitarian Assistance and Mine Action Programs**

These programs were the first DOD-funded programs to be administered by DSCA under the new security cooperation term. It should be noted that the DOS has parallel programs generally managed by USAID in response to any requests by the affected U.S. embassy. Much of this assistance is provided in coordination with the U.S. embassy, the GCC, DOS, USAID, and U.S. Transportation Command (USTRANSCOM). *DOD Appropriations Act, 2010*, P.L.110-116, 19 December 2009, initially appropriated \$110 million for FY 2010 for expenses related to DOD Overseas Humanitarian, Disaster, and Civic Aid (OHDACA) programs. Requests for OHDACA funds for any of these programs generally begin in country with the SCO and are consolidated and prioritized at the GCC, and then forwarded to DSCA.

### ***Humanitarian and Civic Action During Military Operations***

10 USC 401 authorizes military forces to carry out humanitarian and civic action (HCA) projects and activities in conjunction with military operations. The GCC nominates such action for OSD staffing primarily within USD(P) and DSCA for approval and funding. DODD 2205.2 and SAMM, C12.3.4, provide policy guidance and DOD component responsibilities for the DOD HCA program.

### ***Humanitarian Assistance Transportation***

10 USC 2561 authorizes DOD to fund transportation of humanitarian relief world-wide for non-profit, non-government, and private volunteer organizations. SAMM, C12.3.5, provides guidance.

10 USC 402 authorizes DOD to transport on a space-available basis, humanitarian relief supplies furnished by a non-government organization. SAMM, C12.3.6, provides guidance. This program is often referred to as the Denton Program.



## ***Foreign Disaster Relief***

10 USC 404 authorizes DOD to assist countries responding to man-made or natural disaster when necessary to prevent the loss of life. This program enables the GCCs to respond quickly and effectively to disasters in their area of operations and to manage the humanitarian dimensions of security crises. The GCCs engage in foreign disaster relief and emergency response (FDR/ER) activities only when directed by the president, with the concurrence of the Secretary of State, and in emergency situations to save lives. Activities may include services and supplies, logistical support, search and rescue, medical evacuation, and refugee assistance. The FDR/ER program allows for the delivery of humanitarian daily rations (HDR) for use in foreign countries to alleviate hunger after man-made or natural disasters. SAMM, C12.3.8 provides guidance.

## ***Humanitarian Daily Rations***

10 USC 2561 authorizes DOD funding and provision of low cost, nutritional, easily deliverable, daily rations for alleviating hunger in countries after a man made or natural disaster. SAMM, C12.3.7, provides guidance.

## ***Excess Property Humanitarian Assistance***

10 USC 2557 authorizes DOD to provide excess non-lethal supplies to foreign governments and civilian organizations for humanitarian relief purposes when requested by the U.S. embassy. DOD processes, refurbishes, stores, and transport the property to the country for distribution by the U.S. embassy. SAMM, C12.3.1, provides guidance.

## ***Humanitarian Demining Assistance***

10 USC 407 authorizes DOD in conjunction with military operations to assist countries in the detection of landmines, and to train partner nations in the procedures of landmine clearance, mine risk education, and victim assistance. The Humanitarian Demining Assistance (HDA) program also develops indigenous leadership and organizational skills to sustain the effort after the departure of U.S. trainers. Except for the concurrent purpose of supporting U.S. military operations, no DOD personnel may engage in the physical detection, lifting, or destruction of landmines.

10 USC 407 authorizes the annual use of \$10 million by DOD for humanitarian mine action activities. SAMM, C12.3.3, provides guidance regarding this Humanitarian Mine Action (HMA) program. DSCA manages this program through the U.S. Army's Humanitarian Demining Training Center at Fort Leonard Wood, Missouri.

## ***Commander's Emergency Response Program***

The purpose the Commander's Emergency Response Program (CERP) is to enable field commanders in Iraq and Afghanistan to respond to urgent humanitarian relief and reconstruction requirements. The sense of Congress is that the government of Iraq should start to assume increasing responsibility for emergency response in Iraq. The *DOD Appropriations Act, 2010*, Section 9005, P.L. 111-118, 19 December 2009, provides for the use of \$1.2 billion in Army funding for the FY 2010 CERP activities.

## ***Military-to-Military Contact Programs***

These cooperative programs have been around for a long time and continue today as a general program to establish and strengthen professional (and personal) relationships between two country counterparts. In addition to learning new ideas, personal insights and cultural understandings are gained by all participants, which often prove to be deciding factors in successful future diplomatic and military interfaces.

### ***Traditional Combatant Commander Activities***

10 USC 168 authorizes DOD, normally the GCC, to conduct military-to-military contacts and comparable activities with allied and friendly countries to encourage a democratic orientation of defense establishments and military forces. Some functions include:

- Traveling contact teams
- Military liaison teams
- Exchange of military and civilian personnel
- Seminars
- Conferences within the GCC area of responsibility

Funding for the Traditional Combatant Commander Activities (TCA) program is provided to the GCC by the MILDEPs will act as executive agents. Section 1202, P.L. 110-417, provided a new 10 USC 168(e)(5) authorizing the use of funds for such expenses that begin in one FY and extended into the following FY.

### ***Developing Country Attendance at Bilateral Meetings***

10 USC 1051 authorizes the use of DOD funds to support the attendance of representatives from developing countries to attend bilateral and multilateral meetings, usually GCC sponsored.

### ***State Partnership Program***

The National Guard State Partnership Program (SPP) links U.S. states with partner countries for the purpose of supporting the objectives and goals of the GCC and the U.S. Ambassador. The National Guard's involvement reflects an evolving international affairs strategy using the unique civil-military nature of the National Guard to interact with both civil and defense personnel of foreign countries. The state partners actively participate in a host of engagement activities, e.g., bilateral familiarization and training events, emergency management, environmental remediation exercises, fellowship-style internships, educational exchanges, and civic leader visits. All activities are coordinated through the geographic GCC, and the U.S. Ambassador's country team, and other agencies as appropriate to ensure that National Guard support is tailored to meet both U.S. and country objectives.

The SPP was established following the National Guard Bureau's (NGB) 1993 proposal to pair state National Guards with the Baltic countries of Estonia, Latvia, and Lithuania. The NGB proposal was prompted by Commander-in-Chief U.S. European Command (CINCEUR's) earlier decision to staff the Military Liaison Teams (MLTs) in the Baltic region with reserve component personnel. The SPP thus began as a bilateral military-to-military contact program to engage the countries of Central and Eastern Europe, and is a direct outgrowth of EUCEM's Joint Contact Team Program (JCTP). It since has grown to include 49 U.S. states, two territories, and the District of Columbia partnered with 63 countries in the EUCEM, AFRICOM, CENTCOM, PACOM, and SOUTHCOM areas of responsibility.

Figure 1-1, shown on the next page, illustrates the partnerships. All state National Guards have an SPP coordinator who manages the program from the state National Guard headquarters. Many partnerships also include a National Guard officer, known as a bilateral affairs officer (BAO), who is assigned to the SCO in country to manage SPP activities and events. The web address of the National Guard Bureau, Office of International Affairs (J5-IA), where further details may be located, is included in the list of references at the end of this chapter.

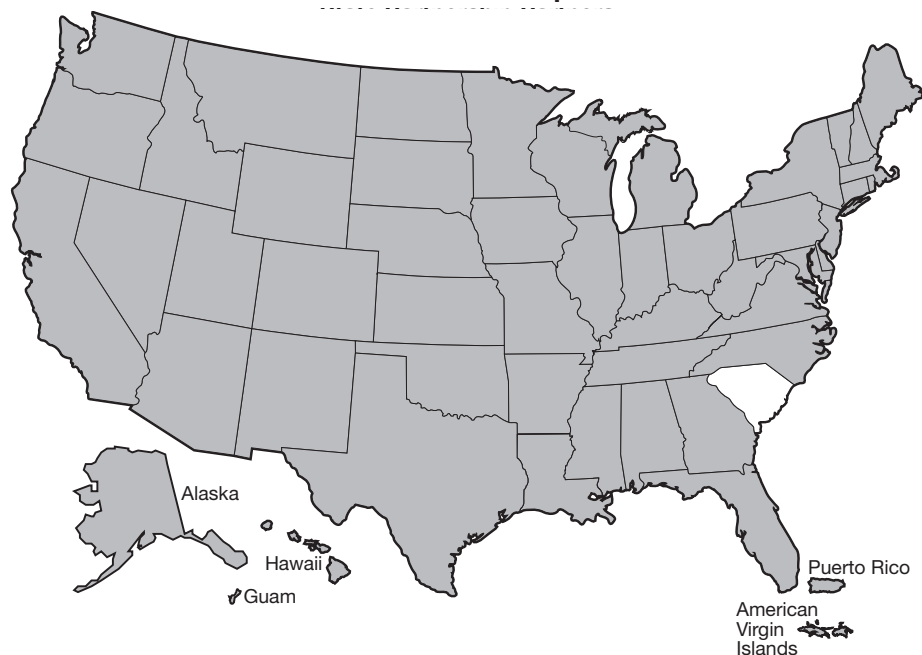
### ***Defense Personnel Exchange Program***

The NDAA for FY 1997, Section 1082, authorizes DOD and the MILDEPs to enter into international agreements for the reciprocal, no-cost exchange of qualified military or defense civilian

personnel with allied or friendly countries. NDAA for FY 2008, Section 1201 amends 10 USC 168(c) authorizing the assignment of personnel on a non-reciprocal basis, rather than an exchange, if determined to be in the U.S. interests. This personnel exchange program (PEP) is widely subscribed to throughout DOD to include the administrative, intelligence, acquisition, training and education, and operational and reserve unit and staff communities. A sample of these programs includes:

- Foreign counterpart visits for the service chiefs of the Army, Air Force, and Navy
- Personnel exchange programs managed by each of the four military services
- The Army's reciprocal unit exchange program
- The DOD reserve officers foreign exchange program

**Figure 1-1**  
**State Partnership Partners**



**63 Countries linked to 49 states, 3 territories and Washington, D.C.**

Alabama / Romania	Mississippi / Bolivia
Alaska / Mongolia	Missouri / Panama
Arizona / Kazakhstan	Montana / Kyrgyzstan
Arkansas / Guatemala	Nebraska / Czech Republic **
California * / Nigeria	Nevada / Turkmenistan
California * / Ukraine	New Hampshire / El Salvador
Colorado * / Jordan	New Jersey / Albania
Colorado * / Slovenia	New Mexico / Costa Rica
Connecticut / Uruguay	New York / South Africa
Delaware / Trinidad-Tobago	North Carolina * / Botswana
District of Columbia / Jamaica	North Carolina * / Moldova
Florida * / RSS (Eastern Caribbean Islands) **	North Dakota / Ghana
Florida * / Guyana	Ohio * / Hungary
Florida * / Venezuela	Ohio * / Serbia
Georgia / Georgia	Oklahoma / Azerbaijan
Guam / Philippines **	Oregon / Bangladesh
Hawaii * / Philippines **	Pennsylvania / Lithuania
Hawaii * / Indonesia	Puerto Rico * / Honduras
Idaho / Cambodia	Puerto Rico * / Dominican Republic
Illinois / Poland	Rhode Island / Bahamas
Indiana / Slovakia	South Dakota / Suriname
Iowa / Russia	Tennessee / Bulgaria
Kansas / Armenia	Texas* / Czech Republic **
Kentucky / Ecuador	Texas* / Chile
Louisiana * / Belize	Utah / Morocco
Louisiana * / Uzbekistan	Vermont * / Macedonia
Maine / Montenegro	Vermont * / Senegal
Maryland * / Bosnia	Virgin Islands / RSS (Eastern Caribbean Islands) **
Maryland * / Estonia	Virginia / Tajikistan
Massachusetts / Paraguay	Washington / Thailand
Michigan / Latvia	West Virginia / Peru
Minnesota * / Croatia	Wisconsin / Nicaragua
Minnesota * / Norway	Wyoming / Tunisia

\*States with two or more countries

\*\*Countries with two or more states

## SUMMARY

Security assistance has been part of our nation's history ever since the Revolutionary War. Since World War II, security assistance has become an institutionalized and continuing program used to advance U.S. interests in a global environment.

The term security assistance itself is subject to differing interpretations. The SAMM lists twelve programs within security assistance of which seven are administered by DSCA. Within the annual CBJ, there are seven major security assistance programs requiring appropriated funds as well as several others which are discussed in some detail. The relatively recent development and use of the term security cooperation, which incorporates DOD-managed security assistance programs, has become the standard to describe all DOD international activities.

If the past is any predictor of the future, security cooperation is not just a short-range program; rather, it will be in existence for many years to come. In this regard, the words of former Deputy Secretary of Defense, William P. Clements, Jr., are as appropriate today as when they were spoken several years ago.

Many contend that such a program [as security assistance] has outlived its usefulness and is an anachronism in these days of a trend towards détente. To do so is not only to misread the history of the past twenty-five years but to misinterpret the signs of the times. The record is open to all who care to consult it. That record fully substantiates the conclusion that the world situation in which we currently find new hope for the future would not exist if the people of the United States had earlier refused to concern themselves with the common defense of the Free World. Had we not become involved and, for more than two decades, supported and encouraged the efforts of allied and friendly countries to protect themselves against threats to their territorial integrity and internal security, the complexion of the globe might be dangerously different today, and the international climate far more hostile. [*Commander's Digest*, July 12, 1973]

The broad definition of security cooperation to include all DOD international programs and those seven FAA/AECA-authorized programs administered by DSCA has significantly increased the playing field within DOD. Now it reaches far beyond the Secretary of Defense to the GCC, the in-country DAO, and the SCO. Every community within DOD has a role to play in security cooperation and its use in achieving U.S. foreign policy and national security objectives.

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